

City Council Special and Regular Meetings, March 28, 2000

Twin Pines Senior and Community Center, 1223 Ralston Avenue

SPECIAL MEETING: 6:00 P.M.

CLOSED SESSION

A. Public Employee Appointment, pursuant to Government Code Section 54957

1. City Manager Susan Westman

Attended by Councilmembers Warden, Hahn, Wright, Rianda, Cook and City Attorney Savaree. City Manager Westman left the closed session at 6:05 P.M. City Clerk Kern was excused from attending.

Adjournment at this time being 7:05 P.M. this meeting was adjourned.

Meeting not tape recorded

Kathy Kern

Belmont City Clerk

STUDY SESSIONS –7:05 P.M.

Presentation by Technology Specialist Harnish regarding e-mail update.

Technology Specialist Harnish explained the latest e-mail process for Council to access their City e-mail from home. She reported that our web site had over 755,000 hits between October, 1999–March, 2000. She said that 1,167 pages had been viewed per day during that time frame. Technology Specialist Harnish noted that the web site had over 900 pages.

Adjournment at this time, being 7:10 P.M. this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded

Tape No. 457

000a-3.8a

Presentation and discussion regarding Davey Glen Project – 7:10 P.M.

Mayor Cook recused herself from this discussion because she lives within 300 feet of the project.

Vice Mayor Hahn took over this meeting.

Mr. Deibel, Regis Homes presented the 32 unit Ross Woods project on 7.3 acres with 2.6 acres of parkland and 2.1 acres of scenic easement. He said they would provide a road to the historic home site and the home would be relocated where the current garden is located on the property. He showed how they had saved clusters of native trees by off setting the road alignments through the complex. He explained that the trees along the perimeter and the wetlands in front would remain undisturbed.

Mr. Fisher, Architect, Sandy & Babcock International, explained that 16 of the units would be single family detached units and the rest of the units would be duplexes. He explained that the project would include woody exteriors and clustered buildings.

Council said they appreciated the time they had taken to minimize grading and create such a natural project.

C.Rianda requested that the school district be contacted regarding the proposed foot path across the property from the school yard to Davey Glen.

Adjournment at this time, being 7:30 P.M. this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded

Tape No. 457

3.9a-25.0a

Presentation and discussion regarding Measure A Extension Expenditure Plan.

Mr. Goode, Deputy Executive Director, San Mateo County Transportation Authority, explained that the current Measure A sales tax did not expire for another eight years. He said there was legislation pending that could be placed on the ballot which would extend the sales taxes in each county and would change the voting requirement from a 2/3rd vote to a simple majority. If this legislation passed and it became a ballot measure, each county that was interested in extending their sales tax needed to prepare an expenditure plan for those funds. He explained that the Transportation Authority put together an expenditure plan which included some policies and expenditure categories for distribution between the programs. They were working with C/CAG to identify specific projects and were soliciting feedback on the policies and expenditure categories and would check back by June for these comments. Mr. Goode referred to the hand out he had distributed and explained that this gave an overview of how our Measure A money had been spent in the County. He explained that most of the programs were targeted for the general public with an emphasis on the mobility of the elderly and the handicapped, with an increased Redi-Wheels program. He explained that the funding for Grade Separations had decreased to 10% because fewer projects were planned at this time. Mr. Goode explained that under the transit category, two items had been suggested; one was for a extensive ferry study as requested by Redwood City and South San Francisco which he figured would need about 3% of the transit funding. The other item was a Caltrain line item. He explained there had been a suggestion that this title be broadened instead of being specific to the Caltrain corridor. The CMAC committee took exception to this suggestion and took a position that it

should remain the Caltrain corridor. Mr. Goode reported that formal comments could be sent to the Transportation Authority if the Council had input before the final expenditure plan in June.

Adjournment at this time, being 7:40 P.M. this meeting was adjourned.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded

Tape No 457

25.0a – 30.0a

REGULAR MEETING - 7:40 P.M.

PLEDGE OF ALLEGIANCE –

Led by Girl Scout Troop 1269, Immaculate Heart of Mary School, Leader Mrs. Nicolopoulos.

ROLL CALL

COUNCILMEMBERS PRESENT: Warden, Hahn, Wright, Rianda, Cook

COUNCILMEMBERS ABSENT: None

Staff Present: Interim City Manager Mittelstadt, City Manager Westman, Assistant to the City Manager Williams, Chief Accountant Tu, Assistant City Engineer Jones, Principal Planner de Melo, Acting Police Chief Mattei, Fire Chief Jewell, City Attorney Savaree, City Clerk Kern

REPORT FROM CLOSED SESSION

Mayor Cook announced that City Manager Westman had tendered her resignation and it had been accepted by Council. The Closed Session was adjourned to 4:00 P.M. on Wednesday, March 28 in Room 300, City Hall.

SPECIAL ORDERS OF THE DAY/PRESENTATIONS

Presentation of Proclamation recognizing Earth Day in the City of Belmont, April 22, 2000.

Mayor Cook presented this proclamation to City Clerk Kern to acknowledge Earth Day in the City of Belmont.

Presentation of Proclamations honoring Ralston Middle School Science Fair Winners.

Mayor Cook presented proclamations to the Ralston Middle School science fair winners and congratulated them on their outstanding efforts.

PUBLIC/COUNCIL COMMENTS

Mr. Metropulos, 835 Laurel Street, stated that Susan Westman was the best City Manager the City ever had because she kept the citizens involved. He said that many of the staff members had come to work here because she was such an excellent Manager. He said the Council should be grateful for her guidance and experience. He said that some of the Councilmembers were moving forward but not others which was unproductive. Mr. Metropulos said he was disturbed by the term limits imposed on the Park and Recreation Commissioners but not on the Planning Commissioners or Arts Commissioners. He said a Park and Recreation Commissioner was so disturbed by the recent events when three Park and Recreation Commissioners were not reappointed, that he resigned from the Commission. Mr. Metropulos stated that the Council should be representing the 25,000 residents and not voting for personal reasons. He said he was opposed to term limits for the commissions, but if Council decided to put limits in place, then he would be in favor of term limits for all elected positions in the City. Mr. Metropulos noted that only two members of the Council had attended recent City-wide events and he wondered where they had been. He said he was ashamed and disgusted that the City Manager had been driven out and he apologized on behalf of the citizens and thanked her for all her hard work.

Ms. Allen, 907 Alameda, stated that she was surprised to find out that two out of five councilmembers had not voted for her reappointment to the Arts Commission, which would have caused a quorum problem for that Commission. Ms. Allen read a letter into the record (on file in the Clerk's office) outlining her concern at the e-mail responses she received from Councilmembers Hahn and Rianda that had not voted to reappoint her. She suggested that the Council get some leadership training and reminded the Council that they worked for the citizens not the other way around.

Mr. Bauer, 1027 Tahoe Drive, President, Belmont Heights Civic Improvement Association, stated that he was disappointed with the forced resignation of the City Manager. He noted that she had been a wonderful participant in our City government, who worked well with the staff, City Council and the public. He said some Councilmembers had made things difficult, being intimidating and unreasonable toward the City Manager, which has caused this loss of talent for Belmont. Some of the Councilmembers have set an atmosphere of fear among the staff which didn't do any of us any good. Mr. Bauer told the Council to change direction if they wanted to continue as Council members.

Mr. Dentler, 2608 Wakefield Drive, expressed his concern about what he considered to be highly destructive behavior and abuse by the City Council. He said the City Manager was burned out and leaving town, because she was tired of the micromanaging and petty vindictiveness. He said that staff was left demoralized and paranoid. Mr. Dentler said it was his understanding that only 17 General Plan applications had been received so far. He said he thought the low return indicated that the citizens do not trust the process, system or the people. Ms. Westman had been in government for 25 years and sought solutions to problems. He noted that she was a "doer" which was a quality that he admired in a person. Mr. Dentler stated that he cared deeply about Belmont and he hoped to see the leadership that the citizens had voted on turn around and build a caring community.

Mr. Fishel, 2614 Monserat Avenue, stated that he thought the problem was a failure to communicate. He said that he thought that decisions decided in Closed Session should be clarified for the citizens. He said Belmont needed to have a reputation as a community, as an employer of reliability, and responsibility especially the City Manager. Mr. Fishel said he was interested in finding out what lead to this unfortunate situation.

Ms. Allen, 907 Alameda, recognized Ms. Westman for all the things she had done for Belmont especially for bringing the Grade Separation project in before its timeline.

C.Warden said he did not mind that his e-mail was public. He said he thought it was interesting to be accused of micromanaging and being non-communicative at the same time. He said the facts would come out in the future.

C.Hahn said when you serve as a public official you become open season and she would like anyone who considered running for office to understand that.

C.Rianda explained that she had not attended the Ralston groundbreaking because of a family commitment. She said she had not responded to Ms. Allen's e-mail because in the past they had always communicated by telephone when there were problems. She said she could not vote for anyone who went behind her back to ruin her credibility. C. Rianda said that the City Manager's resignation was not forced. She said she thought it was a shame that the citizens had made this public. She read a letter she had sent to the three former Commission members. (On file in the City Clerk's office) explaining her reasons for voting the way she did.

C. Rianda said that the Council had high expectations for a City Manager and she did not feel that should be sacrificed. She said they had been accused of micromanaging, but she did not think asking questions was micromanaging. She said she had not asked enough questions before and that was why the Grade Separation had taken so long to be completed.

Mr. Fuchs, Independent Newspaper, said he did not think the Grade Separation could have been completed any sooner no matter how many question were asked. He said the newspaper appreciated the relationship they had with Susan Westman because she had been direct, frank, honest and above board with the newspaper. Mr. Fuchs said he would not get involved in this current situation, because he felt the Council needed to have a relationship with a Manager to move a City forward. Mr. Fuchs thanked the City Manager for being good to the newspaper because it helped the community get the information they needed.

C.Cook stated that in November when she became Mayor she talked about team. She said no one person, commissioner or citizens could accomplish anything alone, because it was a team effort. She said she was sad because an important part of the team was leaving. She explained that since Ms. Westman had started in Belmont, many things had been accomplished because of team work.

C. Cook noted that the recent St. Patrick's Day event had been well attended and added to the good will of the community. She said the Ralston groundbreaking was another well attended event that added value to the community. The reopening of Ralston Avenue was due in large part to the leadership of Susan Westman and John Curtis and brought to an end an eight year project. C. Cook said that because of the events that have transpired, difficult times lay ahead. She said that the positive events should help to move the City forward as a team. She asked for the Community to help the Council and she was looking forward to working with everyone to move forward.

At this time, being 8:50 P.M. this meeting was recessed.

This meeting resumed at 8:55 P.M.

C. Rianda requested a Resolution be added to the agenda as a partner to a letter (4-T) already on the Consent Calendar requesting funding for road funding.

Action: on motion by C. Rianda, seconded by C. Cook, and approved unanimously, to add Resolution authorizing support for \$500 million in New Monies each year (on-going) for City street and County Road Funds to the Consent Calendar.

AGENDA AMENDMENTS

Mayor Cook announced that Consent Calendar items 4-F, 4-Q, 4-R would be considered separately. Consent Calendar items 4-G and 4-I had been continued.

CONSENT CALENDAR.

Approval of meeting minutes: Special Meeting Study Session Arts Commission and Parks and Recreation Commission 2/29; Special Jt. Council/Finance Meeting 3/2; Special and Regular Meeting 3/14.

Approval of Warrant List Dated: 2/25/00 in total amount of \$614,584.26 and dated 3/3/00 in total amount of \$236,088.36 and dated 3/10/00 in total amount of \$263,956.76

Motion to approve Claims Management Report.

Motion to waive reading of Ordinances.

Resolution authorizing the filing of an Application for Transportation Enhancement Activities (TEA) funding with the City/County Association of Governments of San Mateo County and the Metropolitan Transportation Commission (MTC) for US Highway 101 bicycle/pedestrian bridge project in the amount of \$300,000, committing the necessary local match for the project in the amount of \$50,000 and stating the assurance of City of Belmont to complete the project.

THIS ITEM WAS CONTINUED TO MEETING OF APRIL 11TH.

Resolution No. 8711 authorizing the filing of an Application for Transportation for Livable Communities (TLC) funding with the Metropolitan Transportation Commission (MTC) for US Highway 101 bicycle/pedestrian bridge and trail project in the amount of \$50,000 committing the necessary local match for the projects in the amount of \$10,000 and stating the assurance of the City of Belmont to complete the project.

Resolution approving plans and specifications and authorization to advertise for Hillman Avenue/North Road Reconstruction, CCN 408 A-B.

THIS ITEM WAS CONTINUED TO MEETING OF APRIL 11TH.

Resolution No. 8712 approving an agreement with Carlmont High School for the rental of the swimming pool.

Resolution No. 8713 approving first amendment to the February 9, 1999 Callander Associates Agreement for Professional Services. (design services for Alexander Park).

Resolution No. 8714 making reappointments to the Planning Commission for terms of three years to expire on the first day of March 2003. (Wiecha, Purcell, Peirona; cont'd from 3/14).

Resolution No. 8715 making appointment to the Planning Commission to fulfill one unexpired term of two years to expire on the first day of March 2002. (Petersen; cont'd from 3/14)

Resolution No. 8716 making appointments to the Parks & Recreation Commission for terms of two years to expire on the first day of March 2002. (Dutto, Shjeflo, Singer; cont'd from 3/14)

Resolution No. 8717 making reappointments to the Arts Commission for terms of two years to expire on the first day of March 2002. (Gandolfi, Allen; cont'd from 3/14)

Motion approving request of \$2,500 for the Belmont Historical Society.

Motion approving proposal from Curtis Williams and Associates to provide contract Planning services for annexation of Harbor Industrial Area and the Western Sphere of Influence.(estimated cost of \$24,180).

Motion to approve Letter Urging Governor Davis to Support Funding \$500 Million in New Monies Each and Every Year (On-Going) for City Streets and County Roads and

Resolution No. 8718 authorizing support for \$500 million in new monies each year (on-going) for City Street and County Road Funds

Consent Calendar adopted as amended. Moved by C. Wright, seconded by C. Rianda, and approved unanimously, by show of hands.

Consideration of Ordinance amending Chapter 22, Article 5 of the City Code relating to payment of Trench Cut fees. (2nd reading and adoption)

City Manager Westman said this item was pulled because the utilities had requested that the adoption of the ordinance be delayed until they met with staff to discuss modifications to the ordinance. She said that if this item was continued and no modifications were made to the ordinance it could be adopted.

C.Hahn said she would like to wait until the County adopted their ordinance before proceeding.

She said she had heard that there were various groups that would like to make presentations to Council before adoption.

C. Cook clarified that the franchise fee was for use of the road and the trench cut fee would be used to repair trench cuts in the road.

C.Rianda said she had heard a two hour presentation which indicated that the trench cut fee was to repair the degradation of the streets. The franchise fee was for management of the roadway. She said the ordinance approved by the League of California Cities in major cities recommended that when the utility opened a trench that city conduit be laid at the same time. She said they recommended broad banding which meant that service would be provided to the entire city, which would be important when the cable companies requested to trench cut. She said it was important that the agreements went along with the sale of companies. C. Rianda said the League felt that the taxpayers should not have to subsidize the public utilities. She said the ordinance should include a section for graffiti removal from the streets. She said if Council decides to have presentations she would recommend hearing the other side of the issue.

Ms. Bloom, Government Relations, AT&T , requested that the utilities have an opportunity to talk about the implications this ordinance had on their business and on the citizens. She said the utilities were talking with the County Public Works Department presently about viable alternatives to the fee portion of the ordinance. She said the County came out with two recommendations for the ordinance: a fee and a warranty and they were interested in pursuing the warranty. Ms. Bloom requested a continuance until these discussions could be held.

Mr. Wagenseller President, Belmont County Water District, said that they wanted to work with all the cities to come up with a solution that was appropriate for all the ratepayers.

C.Hahn asked if the Council was interested in hearing the presentations that had been mentioned.

C. Cook said she would rather have the utilities work with the Public Works Department to craft an appropriate ordinance.

C. Rianda said she would like the whole Council to hear the presentation by the League so that everyone would realize the importance of this legislation. She said the staff could then be directed on how to proceed with the utilities.

City Manager Westman suggested that this item be continued for a month because of ongoing discussions. She said differences could then be discussed between the cities and the utilities.

C.Hahn said she had requested specific information on what would be in jeopardy by waiting to adopt this ordinance and had not received it.

Action: on motion by C. Hahn, seconded by C. Wright, and approved unanimously, by show of hands, to continue the second reading of this ordinance for one month to allow staff to work with the utilities.

Consideration of Resolution authorizing funds up to \$10,000 for the Grade Separation Completion Community Celebration. C.Hahn stated she had heard from several residents that the reward for the Grade Separation was the actual opening of the roadway. She said Belmont was looking for new revenue and she thought spending \$10,000 for yet another Grade Separation party may not be the best use of contingency funds.

City Manager Westman explained that this would be a combined party with San Carlos.

C. Cook said that there had never been a project that impacted a community for so long, and she thought a party was appropriate to reward the community for all they had endured during this project.

C.Rianda said she had been told by residents that they were not in favor of spending large sums of money on this party. She said they agreed that the opening of the station had been the big event.

City Treasurer Mason, Jr. stated that the Finance Commission had discussed this funding as presented by staff. He said one idea that had been discussed was to try and promote the business community because of the disruption to businesses. He said that Caltrain commuters had been impacted by the lack of parking during the construction. He said one idea was one month's free parking. He suggested that the funding be deleted at this time. A committee formed to discuss a party, budget and ideas could be considered at that time.

Action: on motion by C. Wright, seconded by C. Warden and approved unanimously by show of hands, to appoint a committee for the Grade Separation community party, without funding at this time.

C.Cook stated it was a nice gesture to compensate the commuters, but she would like to recognize and celebrate all the citizens who had been impacted by this project.

C.Rianda asked if one member of the Finance Commission could be included on the committee.

C. Wright and Warden agreed with this amendment to the motion.

Council concurred with this amendment and to appoint C. Wright and C. Cook to serve on the committee.

Motion approving May 16th , at 6:00 P.M. for Jt. Council/Planning Commission Meeting.

C.Rianda stated that she thought two nights would be appropriate to discuss all of the items on the tentative agenda. She asked if another date could be reserved to address the rest of the issues.

Planning Commissioner Mathewson said that two hours would be helpful but he thought two nights would be more appropriate and he agreed that the items should be prioritized.

C. Rianda asked if Mr. Williams in the City Manager's office could put a matrix of agenda items together so the Council and Commission could prioritize discussion items.

Action: on motion by C. Rianda, seconded by C. Wright and approved unanimously, by show of hands, to approve meeting date of May 16th and have staff find another date to meet with the Planning Commission. Staff was instructed to provide a matrix of agenda items to be prioritized.

Action: on motion by C. Wright, seconded by C. Rianda, and approved unanimously, by show of hands, to continue Consent Calendar items 4-G and 4-I.

PUBLIC/HEARINGS

Public Hearing regarding Belmont Library Task Force Final Report.

Ms. Bissel, Chair of the Library Task Force, reported that the recommendation from the task force was to build a new 28,000 square foot library on the exiting site, providing underground parking and preserving the existing parking.

City Manager Westman explained that if the Council accepted this report an item would need to be put on a future agenda to have the task force continue working on the next phase of the project.

She said plans needed to be developed and in July the Council would need to decide if they would go forward with a bond measure on the November ballot.

In response to C. Cook, City Manager Westman suggested that a subcommittee from the task force

be assigned to work with the Finance Commission to provide the financial data so this project would be able to be put on the November ballot for the voters.

C. Wright said there was a presentation made on Proposition 14 at the League of Cities recently, and learned that there was a lot of competition for the funding, so it would be in our best interest to apply as soon as possible.

City Manager Westman said it would be 18 months before the State would be accepting applications for these funds, but it would be appropriate for the City to go forward with this project and include in the financial packet the possibility of receiving funding from the State. She said it would be necessary to have a contingency plan in case the funding was not made available to the City.

C. Rianda commended the task force for including so many of the stake holders in the process. She said that the focus groups were the strongest component to determine the needs of the community.

She said she agreed with the suggestion to work with the Finance Commission to work out the funding details

Mayor Cook opened the public hearing.

Mr. Burger 932 South Road, Library Task Force member, explained that he had included a minority report with this final report to reflect his thoughts on locating the library in the civic center as had been done in other cities. He stated that cities needed to be aware of public image and the value that is provided must be obvious, relevant, transparent and immediate. He said that if a library was located in the downtown area it increased patronage and strengthened its political cause to justify its existence.

Ms. Peicemer, 2724 Monserat, thanked the task force and she thought the recommendation should be supported. She said she thought the downtown would be too crowded to accommodate the library. She said we needed to move forward quickly to get grant funding from the State.

On motion by C. Hahn, seconded by C. Rianda and approved unanimously to close the public hearing.

C.Warden suggested that \$1 million from the bond proceeds, be budgeted. He said he thought it would show a commitment from the City. C. Warden said he would like to put this on a future agenda of the Redevelopment Agency.

Action: on motion by C. Wright, seconded by C.Hahn, and approved unanimously, by show of hands to adopt:

Resolution No. 8719 accepting the Belmont Library Task Force Report.

C.Wright asked if it was appropriate to act on the suggestion made earlier to have the Task Force continue their work.

City Manager Westman stated that the task force would return with a budget request for some additional work that needed to be completed.

At this time, being 9:50 P.M. this meeting was recessed.

At this time, being 9:55 P.M. this meeting was resumed.

NEW BUSINESS

Report on use of the American Flag for advertising.

City Attorney Savaree reported on her findings regarding display of the American Flag. She said the information revealed that local entities had limited power to deal with the flag. She said if any regulation was imposed on where the flag is displayed, it had to be for health and safety reasons. She said her case studies revealed that display of the flag was protected under the First Amendment, freedom of speech. She said an ordinance would have to be drawn very narrowly for health and safety reasons.

C. Warden stated that he had spoken with a couple of the businesses and they had changed their policies with regard to displaying the flag which he thought was very positive.

Motion designating a Council Representative to serve on the Peninsula Congestion Relief Alliance Joint Powers Authority.

Assistant to the City Manager Williams reported that this new Joint Powers Authority Board would be made up of elected officials and he requested a representative be appointed at this time.

He said the next meeting of the Board would be held on May 24th.

In response to C. Rianda, City Manager Westman stated that she had discussed the time conflict with the San Mateo City Manager and he indicated that the time may change once the group meets for the first time.

Action: on motion by C. Hahn, seconded by C.Rianda, and approved unanimously, by show of hands to appoint C. Warden to be the representative on the Peninsula Congestion Relief Alliance and C. Wright to be the alternate.

Discussion and direction regarding Street Banner Policy.

City Manager Westman explained that two sets of banner poles would be left once the Grade Separation project was complete and would be available for the public to use to advertise events.

She said the staff had included some draft policies to be used by various groups.

C.Warden said he would like to revisit this issue in a year to see if it was working appropriately.

C. Hahn said she was concerned that all service clubs be provided equal time to use these poles.

In response to C. Rianda, City Manager Westman said that the refusal of a banner would most likely be for content. In those cases an applicant had the right to appeal to the City Manager and then the City Council.

Action: on motion by C. Wright, seconded by C. Rianda and approved unanimously, to approve this policy and review in one year to see if any modifications are necessary.

BOARD, COMMISSION, COMMITTEE UPDATES, AND STAFF REPORTS

Grade Separation Report.

Assistant City Engineer Jones reported that the Grade Separation was finished and the final touches were being completed. He explained that the retaining walls on the Village Center and the Blockbuster building were being completed. He said that striping was being redone to line up the intersection. He explained that Caltrans was still in charge of the traffic signals and were still adjusting the timing of the lights.

Direct Access/Ralston 101 Report.

Assistant City Engineer Jones reported that the study report had been approved by Caltrans. They were now working on the environmental document, which was the next step in the process. Engineer Jones explained that Caltrans had allowed them to prepare the project report based on the preferred alternative.

Update on Traffic Calming Task Force.

Assistant City Engineer Jones reported on the two meetings that had been held. He reported they had heard from South County Fire and the Police Department regarding concerns about installation of traffic calming devices. They also held a workshop regarding devices that could be used on Hastings Drive. Engineer Jones reported the group would be looking at guidelines for applications for traffic calming devices on city streets.

MATTERS OF COUNCIL INTEREST/CLARIFICATION

Discussion and direction regarding setting up a study session with athletic organizations to get direct input on fields and other associated needs the organizations may have.(Rianda).

C.Rianda stated she would like to amend this request to have a sub-committee of two Councilmembers, and two Parks and Recreation Commissioners meet with these athletic organizations to discuss their concerns. She said she did not have a clear understanding on what these athletic groups had contributed to the City in time and

money. C. Rianda stated that she would like to educate these groups on how to access the Commission when they had concerns.

C. Wright stated he would like to be one of the participants on the sub-committee, and bring feedback to the Council.

Consideration of modification to code to allow goats to be used in a controlled place in place of gas powered mowers or herbicide. (Warden)

C.Warden stated that he had a request to amend the animal ordinance to include the use of goats on hillsides to remove vegetation.

Council concurred to have City Attorney Savaree combine this modification with the other animal modifications. Council requested that the negative impacts of this form of vegetation removal be studied and reported on.

Discussion and direction regarding charity for Max's opening. (Hahn)

C.Hahn said she was alarmed to receive a letter from the Chamber of Commerce stating that since the City Council could not reach a decision on which charity would be the recipient of this events proceeds, the corporate office has decided to forgo the fundraiser. She said she thought this was part of the agreement with Max's Restaurant.

C.Rianda stated that Max's had agreed they would work with the City on a lunch for the Council to invite guests and the other would be a dinner for a City charity.

City Manager Westman stated that when she spoke with the Belmont Restaurant Manager, they did not feel they had made any agreement with the City to put on these two charity events. They allow a charity to organize an event and use their facility.

C.Hahn said she was going to suggest that each Councilmember suggest a charity and let Max's chose which one to highlight.

C. Cook said she had never seen anything from Max's inviting the Council to participate in a charity event, so she did not know what their intent had been.

Council expressed disappointment that a charity event could not take place when Max's Restaurant opened.

At this time being 10:30 P.M., this meeting was extended for five minutes, on motion by C. Rianda, seconded by C. Wright.

Discussion regarding FPPC regulations re: conflict of interest relative to personal residence.(Cook)

City Attorney Savaree indicated that the rule on conflict of interest had not been amended.

She said she would call the FPPC to see if any changes had transpired.

C. Wright stated that at the League Administrative Meeting he learned that they had been monitoring a study of the conflict of interest involving real property. He said it appeared that they would be staying with the 300 ft limit but looking into raising the threshold on the dollar amount. He noted that the Commission was

disregarding some of the staff recommendations, because they had experienced some of these same issues and were looking at other solutions.

Discussion and direction regarding organization chart for Belmont Departments including part-time and/or contract employees. (Hahn)

C.Hahn stated that she had submitted a copy of an organization chart that she would like to see duplicated for the City of Belmont.

Staff indicated that they would have this chart completed within the next few weeks.

Discussion and direction regarding term limits for Commissions. (Hahn)

C.Hahn asked if the Council was interested in considering term limits which other cities had implemented for their commissions.

Council concurred they would like this to be discussed at a future time.

ADJOURNMENT at this time, being 10:35 P.M. this meeting was adjourned. The Closed Session was adjourned to 4:00 P.M. on Wednesday in Suite 300 at City Hall.

Kathy Kern

Belmont City Clerk

Meeting Tape Recorded

Tape No. 457

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REGULAR MEETING

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